GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

General Administration(Cabinet) Department – Policy decisions of the Government - Consultation of learned Advocate General – Certain Instructions – Issued.

GENERAL ADMINISTRATION (CABINET.II) DEPARTMENT

G.O.MS.No. 11 Dated: 09-02-2021.

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ORDER :

Government has been initiating programmes on various subjects for implementation in accordance with avowed policy of people's welfare as per the objectives enshrined in the Constitution of India. The decision-making process involves consultations within the various Departments of Government, including examining the legality of the processes involved as well as smooth and unhindered implementation of the policy.

2. It is noticed that the policies of Government could be a subject matter of litigation whereupon the Government would be called upon to justify the decisions including the processes underlying the said decisions, in a court of law.

3. Government is of the view that a formal structure be put in place to ensure that due diligence is undertaken on all parameters of various policy decisions of Government, more particularly with regard to the legal framework in support of the said initiatives of the Government.

4. Therefore, to ensure that the policies of the Government do not suffer from legal infirmities, it is considered necessary that a procedure be in place so as to ensure that the policy decisions of Government are in consonance with due process and the requirements of law.

5. Government after careful consideration hereby issue the following instructions for compliance while processing the policy and other related legislative issues:

i. The policy documents of the Government arrived at after due consultations within Government Departments, be circulated to the Law Department for securing an opinion on the processes involved leading to the formulation of the policy framework and taken to Council of Ministers as per Business Rules.

ii. After securing the clearance within the Government, in accordance with the Business Rules, the concerned line Department and the law Department shall finalise the draft G.O./ Policy document and the draft legislations in consultation with the Office of the Advocate General in concluding the said process before issuing of such orders on policy and draft legislation of the Government.

6. All the Departments of Secretariat shall follow the above guidelines scrupulously.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
CHIEF SECRETARY TO GOVERNMENT

To
The Secretary, Law Department.
All the Departments of the Secretariat
The Advocate General, A.P., Vijayawada.
Copy to :
The Law Department
PS to Prl.Secretary to CM
PS to Chief Secretary
PS to Prl.Secretary (Poll)
SC/ SF

//FORWARDED :: BY ORDER//

SECTION OFFICER